

REMARKS

Claims 13 and 18 have been amended. Claims 41 and 42 have been newly added.

Applicants elect the invention of Group I and the species covered by Group Ia (claims 13-17) and the newly added claims 41 and 42 for continued examination. Applicants' election as to the election/restriction requirement is made with traverse. MPEP § 803 provides that "[I]f the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions."

As acknowledged by the last Office Action, claims 13-17 and 18-25 are directed to a method of forming a gate dielectric, while claims 26-32 and 33-40 are directed to a method of forming a capacitive element. In particular, claims 13-17 recite a "method of fabricating a semiconductor device" by "depositing a dielectric film over an active region of a semiconductor substrate to form part of a gate of a transistor" and "subjecting the dielectric film to a wet oxidation in a rapid thermal process chamber at a temperature greater than about 450 °C." Claims 18-25 also recite a "method of fabricating a semiconductor device" by "depositing a dielectric film over an active region of a semiconductor substrate to form part of a gate of a transistor" and "providing steam to a vicinity of the dielectric film while the substrate is in a rapid thermal process chamber at a temperature greater than about 450 °C." Thus, all claims 13-25 recite the same or similar limitations which define closely related subject matter that can be examined without serious burden.

Claims 26-32 further recite *inter alia* a "method of fabricating a capacitive element for a semiconductor device" by "forming a lower electrode," "depositing a dielectric film over the lower electrode" and "subjecting the dielectric film to a wet oxidation in a rapid thermal process chamber at a temperature greater than about 450 °C." Claims 33-40 also recite *inter alia* a "method of fabricating a capacitive element for a

semiconductor device” by “forming a lower electrode,” “depositing a dielectric film over the lower electrode” and “providing steam to a vicinity of the dielectric film while the substrate is in a rapid thermal process chamber at a temperature greater than about 450 °C.” Thus, all claims 26-40 recite the same or similar limitations which define closely related subject matter that can be examined without serious burden.

In Addition, Applicants note that independent claims 41 and 42 have been added to species Ia (claims 13-17) of Group I. Newly added independent claims 41 and 42 are deemed generic to Species Ia, Ib (claims 13-17, 18-25) and Species IIa, IIb (claims 26-32, 33-40). Each of the generic claims 41 and 42 reads on or encompasses all the limitations of the claims of Species Ia, Ib (claims 13-17, 18-25) and of Species IIa, IIb (claims 26-32, 33-40). As noted in the last Office Action, if a generic claim is ultimately allowed, Applicants are entitled to examination of all encompassed species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 C.F.R. 1.141.

Attached is a marked-up version of the changes made to the claims by the current amendment. The attached page is captioned “Version with markings to show changes made.”

An action on the merits of all the claims and a Notice of Allowance thereof are respectfully requested.

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Respectfully submitted,

By 

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Versions with Markings to Show Changes Made

13. (amended) A method of fabricating a semiconductor device, the method comprising:

depositing a dielectric film over an active region of a semiconductor substrate to form part of a gate of a transistor; and

subjecting the dielectric film to a wet oxidation in a rapid thermal process chamber at a temperature greater than about 450 °C.

18. (amended) A method of fabricating a semiconductor device, the method comprising:

depositing a dielectric film over an active region of a semiconductor substrate to form part of a gate of a transistor; and

providing steam to a vicinity of the dielectric film while the substrate is in a rapid thermal process chamber at a temperature greater than about 450 °C.